

AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application.

LISTING OF CLAIMS

1. (Currently Amended) A method of optimizing a workers' compensation claims management process, which contains files relating to a workers' compensation claim of an injured or ill individual comprising the steps of:

reviewing the workers' compensation claims management process to determine if best practices are being followed; and

amending the workers' compensation claims management process by implementing the best practices into the workers' compensation claims management process;

monitoring the amended workers' compensation claims management process to determine if the best practices are being followed, wherein the best practices essentially consist of: within 14 days of a claim initiation determine whether a first payment should be made from the evidence in the file, determine whether there is a thorough knowledge and thought process with respect to file notes and an action plan with the file, ordering of a report which would give information if the employee has ever filed a workers' compensation claim within the United States in the past within 48 hours of the date of a report of an accident, set within 5 days from the date of accident the initial reserve, determine if the file is maintained in a neat chronological order, determine if the file contains all pertinent documentation, determine if the report must include all known facts, determine if within 45 days from the date of the accident the reserves must

be reviewed and adjusted based upon additional known facts, and at the time of the review of the file the reserves should reflect an expected value based on the known facts; and

utilizing a computer to recursively closely monitor a specific case within the workers' compensation claims management process to determine if the best practices are not being followed and to generate a report indicative thereof.

2. (Canceled)

3. (Canceled)

4. (Currently Amended) The method of claim 1 wherein the best practices further are consisting of: properly documenting reserve changes within the file and reserve history, explaining reserve changes in detail to provide an accurate timely basis of value, prevent the reserves from deviating ~~must not deviate~~ more than 10% of the reserve value at 12 months, and preparing a complete reserve analysis worksheet ~~must be part of the computer file notes and paper file.~~

5. (Previously Presented) The method of claim 1 wherein the best practices further consist of: determining whether a report is properly housed and noted within a computer file, determining whether medical information is updated within 30 days, determining if any adjustment to a treatment plan must demonstrates a strong evaluation of the medical information including follow-up with the medical personnel and employer and employee, timely re-contacting of the employee employer and medical provider, timely exploration of light duty return to work must be properly documented, the timely development and execution of a return to work plan is performed and properly documented, and timely and appropriate assignment of light duty work.

6. (Currently Amended) A method of optimizing a workers' compensation claims management process, which contains files relating to a workers' compensation claim of an injured individual comprising the steps of:

determining whether a claim and is classified as a high risk by asking an injured employee a plurality of questions, wherein the plurality of questions essentially consist of: what is your education level; what is your job title; what is your job description; what was the date of injury; what was the date reported to supervisor/employers; ~~ask questions about the incident that~~ what caused the injury; what happened, when, how, where; was anyone else involved; did anyone witness the incident; ~~describe~~ what is a description of your injury; do you think you could have prevented the incident from happening; what medical treatment did you receive, by who, when; when is your next appointment; do you have any physical restrictions; are you currently taking any type of medication, if yes[[,]]- what; did you ever have any problems

with your body part before, if yes - ~~try to find out~~ what, how, when; have you ever had any other work related injuries; how are you feeling now; are you comfortable with your primary medical provider; do you have any allergies; have you ever had any surgeries, serious illness, if yes - what, when, why; do you consider yourself to be normally healthy; how are your eating habits; do you have any hobbies; what do you do for recreation; do you smoke, if yes - how long, how much; do you drink, if yes - how much; do you get along well with the people at work; are you looking forward to returning to work; and do you have any questions or concerns regarding your claim; If the claim is high risk, having a nurse conduct a three point interview within 72 hours of an injury; and

utilizing a computer to monitor a claim at periodic intervals and generate a report related to the claim.

7. (Canceled)

8. (Original) The method of claim 6 wherein determining whether a claim is classified as high risk includes asking an employer a plurality of questions.

9. (Original) The method of claim 6 wherein determining whether a claim is classified as high risk includes asking a medical professional treating the injured employee a plurality of questions.

10. (Canceled)

11. (Currently Amended) The method of claim 8 wherein the plurality of questions asked the employer ~~essentially consist~~ are consisting essentially of: what is name of person you are talking with, what is the date and time; what is the employees name, what is the date of hire; what is the job title; what is the job description, including responsibilities and physical requirements; what is the home address, what is the telephone number; what is the description of injury, was employee sent directly to primary medical provider, If yes - who; what are the results of primary medical provider's evaluation, diagnosis, restrictions, if known, what is the treatment plan, prognosis, Is employee currently back to work, if yes - what job; If employee is not working, why not, what restrictions is the employee unable to ~~be met~~ to meet; what type of employee has he been during the past; what is the employee's attitude/relationship with supervisor, management, co-workers, attendance pattern; are there any recent disciplinary problems, [[If yes,]] if yes - what.

12. (Currently Amended) The method of claim 9 wherein the plurality of questions ~~essentially consist~~ are consisting essentially of: when did you first see employee, what is the diagnosis, what is the prognosis, what is your current treatment plan for employee, when did you last see employee[[,]]; considering the description of the accident/incident, [[and]] do you believe the medical condition is the result of the incident.

13. (Previously Presented) The method of claim 6 further including the steps of:

implementing best practices into the workers' compensation claims management process;

utilizing a computer system to monitor the amended workers compensation claims management process to determine if the best practices are being followed;

implementing best practices into the workers' compensation claims management process;

monitoring the amended workers' compensation claims management process to determine if the best practices are being followed; and

using the computer system to closely monitor a specific case within the workers' compensation claims management process to determine if the best practices are not being followed, and generate a report indicative thereof.

14. (Canceled)

15. (Previously Presented) The method of claim 6 further comprising the step of closely monitoring a specific case within the workers' compensation claims management process to determine if the best practices are not being followed if the claim is classified as a high risk.

16. (Previously Presented) The method of claim 6 further comprising the step of closely monitoring a specific case within the workers' compensation claims management process to determine if the best practices are not being followed if the claim is classified as a high risk.

17. (Original) The method of claim 11 further comprising the step of closely monitoring a specific case within the workers' compensation claims management process to determine if the best practices are not being followed if the claim is classified as a high risk.